

1 BILL NO. S-92-01- 46

2 SPECIAL ORDINANCE NO. S- 38-92

3 AN ORDINANCE approving an
4 Interlocal Corporation
5 Agreement between the
6 Allen County Solid Waste
7 District and the City of
8 Fort Wayne.

9 WHEREAS, the City of Fort Wayne and the Allen
10 County Solid Waste District desire to enter into an
11 interlocal cooperation agreement to meet the entities'
12 respective needs to staff waste minimization efforts;

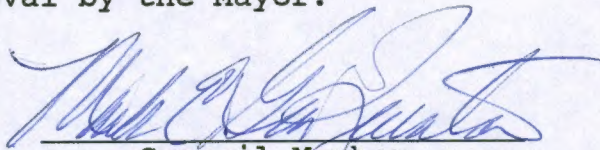
13 WHEREAS, the sharing of staff will enhance the
14 supervision of such efforts and provide efficiencies of
15 economy and scale;

16 WHEREAS, I.C. 36-1-7-2 requires that the Common
17 Council adopt an ordinance or resolution approving such
18 agreement;

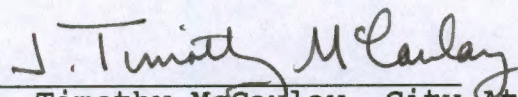
19 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
20 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

21 SECTION 1. The interlocal cooperation
22 agreement by and between the City of Fort Wayne and the
23 Allen County Solid Waste District, a copy of which is
24 attached hereto, made a part hereof, and marked Exhibit
25 "A," is hereby ratified and approved effective January 1,
26 1992.

27 SECTION 2. That this Ordinance shall be in
28 full force and effect from and after its passage and any
29 and all necessary approval by the Mayor.

30 
31 Council Member

32 APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

INTERGOVERNMENTAL COOPERATION AGREEMENT

This Agreement made this _____ day of _____, 1992, by and between the Allen County Solid Waste District ("District") and the City of Fort Wayne ("City").

WITNESSETH

WHEREAS, the District deems it in its best interest to obtain staff services in the area of waste minimization program development by contracting for same, and

WHEREAS, the City has on staff a person whose duties encompass such activities, and the City is willing to allow said person to perform those services for the District,

NOW THEREFORE, for and in consideration of the mutual promises, covenants, and agreements set forth hereafter, the parties agree as follows:

1. The City shall provide its existing staff person for the purpose of coordinating the waste minimization program development for the District. The City agrees not to designate any other person to perform this service for the District without the District's prior approval.

2. In exchange for the services set forth above the District shall provide the staff person with a leased or District Owned vehicle including insurance and license plates. City shall be responsible for providing all gasoline and maintenance expenses.

3. In addition to providing the leased vehicle as set forth above, the District shall pay to the City the sum of

\$30,000.00. Said sum shall be due and payable upon the presentation of invoices for the purchase of composting equipment and related devices. The District shall pay the billings in its ordinary course of business.

4. The staff person shall remain the employee of the City, and in that respect, the City shall be solely responsible for setting that employee's salary, the payment of all employment taxes and fringe benefits applicable to said employee and the establishment of the employee's general work rules, fringe benefits and other terms and conditions of employment.

5. This agreement shall become effective, subject to ratification by the appropriate fiscal bodies and executives of the parties hereto on the 1st day of January, 1992 and shall remain in effect through and including the 31st day of December, 1992.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date first above written.

Mayor, City of Fort Wayne

APPROVED BY:

BOARD OF WORKS

By: _____
Its _____

By: _____
Its _____

By: _____
Its _____

SOLID WASTE DISTRICT

By: _____
Its _____

APPROVED BY:

Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of January, 1992 personally appeared Paul Helmke, the Mayor of Fort Wayne, Indiana, and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Notary Public
Resident of Allen County

My Commission Expires:

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of January, 1992 personally appeared _____, and _____ of the Board of Works, and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Notary Public
Resident of Allen County

My Commission Expires:

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of January, 1992 personally appeared _____, of the Solid Waste District, and acknowledged the execution of the foregoing. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Notary Public
Resident of Allen County

My Commission Expires:

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Read the first time in full and on motion by GiaQuinta, seconded by Schmidt and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 1-28-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia-Quinta, seconded by Edmonds, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8			1
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE				✓
SCHMIDT	✓			
TALARICO	✓			

DATED: 2-11-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (~~ZONING~~) ORDINANCE ~~RESOLUTION~~ NO. 5-38-92 on the 11th day of Feb, 1992

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of Feb, 1992, at the hour of 11.30 o'clock A, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of February, 1992, at the hour of 8:30 o'clock A M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. S-92-01-46

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GiaQUINTA, CHAIRMAN
CLETUS R. EDMONDS, VICE CHAIRMAN
LUNSEY, LONG, RAVINE

WE, YOUR COMMITTEE ON FINANCE TO WHOM
WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving an

Interlocal Corporation Agreement between the Allen County
Solid Waste District and the City of Fort Wayne

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED:

Sandra E. Kennedy
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE ORDINANCE

DEPARTMENT REQUESTING ORDINANCE MAYOR'S OFFICE

SYNOPSIS OF ORDINANCE

1.) APPROVES INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND
THE ALLEN COUNTY SOLID WASTE DISTRICT TO PROVIDE COMMON STAFFING
FOR SOLID WASTE MINIMIZATION EFFORTS.

2.) CITY WILL PROVIDE STAFF PERSON.

3.) DISTRICT WILL PAY \$30,000/YEAR.

J-92-01-46

EFFECT OF PASSAGE AGREEMENT APPROVED.

EFFECT OF NON-PASSAGE AGREEMENT NOT APPROVED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) CITY LOSES
\$30,000/YR.

ASSIGNED TO COMMITTEE (PRESIDENT) _____